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Dated: March 14, 2006

Signature:

(Harvey L. Cohen)

DA C  
JPW  
\$  
Docket No.: IN 01159K  
(SCHERING 3.0-122)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Saksena et al.

Application No.: 09/908,955  
Filed: July 19, 2001  
Confirmation No.: 4478  
Patent No.: 7,012,066  
Issue Date: March 14, 2006

Group Art Unit: 1653

Examiner: R.B. Mondesi

For: NOVEL PEPTIDES AS NS3-SERINE PROTEASE  
INHIBITORS OF HEPATITIS C VIRUS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

03/20/2006 HDEMSS2 00000020 121095 7012066  
01 FC:1455 200.00 DA

**REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT**  
**UNDER 37 CFR § 1.705(d)**

Dear Sir:

It is respectfully requested that the stated Patent Term Adjustment of "145 day(s)" shown on form IR-103 ("Issue Notification") and received by the undersigned on March 1, 2006 be revised pursuant to the instant request in view of the clear Office error under the provisions of 37 C.F.R. § 1.705(d). The Patent Term Adjustment of 145 days is also reflected on the bibliography (cover) page of the issued patent U.S. 7,012,066 (copy enclosed).

The revised Patent Term Adjustment should properly reflect the additional term due the patentees of seventy-three (73) days, covering the period beginning on the date that is the day after four (4) months following payment of the issue fees due in the subject application and ending on March 14, 2006, the issue date of the patent granted on the above application, U.S. 7,012,066. Thus, the total Patent Term Adjustment due Applicants in the subject patent should be equal to two hundred eighteen (218) days (145 + 73).

The following facts and materials are provided in support of this request: (1) a copy of the issue fees payment transmittal form stamped as having been received by the U.S.

Patent and Trademark Office on August 31, 2005; and (2) a copy of the printout of the application Transaction History taken from the Patent Application Information Retrieval (PAIR) database showing that no further requirements for issuance of the patent were set forth by the Office and no further submission was made by Applicants following payment of the issue fees. This patent is not subject to a terminal disclaimer. As required, this Request is being filed within two months of the date the patent issued.

Please charge Deposit Account No. 12-1095 in the amount of \$200.00 as set forth in 37 C.F.R. § 1.18(e). However, in the event that any additional fee is due in connection with the present request, such additional fee should be charged to the same deposit account.

If for any reason the Office does not believe that the above Request can be granted at this time, it is respectfully requested that a telephone call be placed to Applicants' attorney at (908) 654-5000 in order to provide additional information or overcome any objections.

Dated: March 14, 2006

Respectfully submitted,

By 

Harvey L. Cohen

Registration No.: 28,365

LERNER, DAVID, LITTENBERG,

KRUMHOLZ & MENTLIK, LLP

600 South Avenue West

Westfield, New Jersey 07090

(908) 654-5000

Attorney for Applicant

Enclosures

638092\_1.DOC

## PART B - FEE(S) TRANSMITTAL

Send this form, together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax (571) 273-2885**

**INSTRUCTIONS:** This form should be used for transmitting the **ISSUE FEE** and **PUBLICATION FEE** (if required). Blocks 1 through 3 should be completed where appropriate. All further correspondence including the Patent, advance order and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Name: Like Block 1 for any change of address)

00530 7590 08/10/2005

**LERNER, DAVID, LITTENBERG,**  
**KRUMHOLZ & MENTLIK**  
**600 SOUTH AVENUE WEST**  
**WESTFIELD, NJ 07090**


09/01/2005 TBESHAH2 00000018 190365 09908955

01 FC:1501 1400.00 DA  
 02 FC:1504 300.00 DA  
 03 FC:6661 60.00 DA

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

**Palaiyur S. Kalyanaraman** (Depositor's name)  
 (Signature)  
**August 31, 2005** (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/008,955	07/19/2001	Anil K. Saksena	IN01159K	4478

TITLE OF INVENTION: NOVEL PEPTIDES AS NS3-SERINE PROTEASE INHIBITORS OF HEPATITIS C VIRUS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	11/10/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
MONDESI, ROBERT B	1653	514-018000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Palaiyur S. Kalyanaraman

2 Lerner, David, Littenberg,  
Krumholz & Mentlik, LLP

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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Schering Corporation

Kenilworth, NJ

Dendreon Corporation

Seattle, WA

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
- ☒ Publication Fee (No small entity discount permitted)
- ☒ Advance Order - # of Copies 20

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 49-0365 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.
- ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date 08/31/2005Typed or printed name Palaiyur S. KalyanaramanRegistration No. 34,634

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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(908) 298-4000

## FACSIMILE TRANSMITTAL SHEET

TO:

USPTO  
(Issue Fee)

FAX NUMBER:

(571) 273-2885

Examiner: Robert B. Mondesi

FROM:

Palaiyur S. Kalyanaraman

PHONE NUMBER:

(908) 298-5068

TOTAL NO. OF PAGES INCLUDING COVER

4

DATE

August 31, 2005

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NOTES/COMMENTS:

PLEASE HAND DELIVER

In re Application of: Anil K. Saxena *et al.*

For Patent: "Novel Peptides as NS3-Serine Protease Inhibitors of Hepatitis C Virus"

Group Art Unit: 1653

Attorney Docket No.: IN01159K

US/ Serial No.: 09/908,955

Filed: 07/19/2001

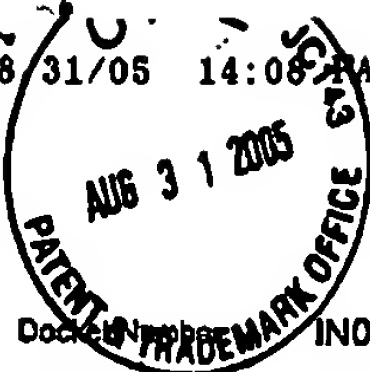
Transmitted herewith are:

- Fax Cover Sheet - 1 Page
- Certification of Transmission - 1 Page
- Issue Fee Transmittal (Part B) - 1 Page in duplicate

Palaiyur S. Kalyanaraman  
Registered Representative  
Registration No. 34,634

PHONE: (908) 298-5068

FAX: (908) 298-5388



Docket No. IN01159K

Application No: 09/908,955

Filing Date: 07/19/2001

First Inventor: SAKSENA, Anil K

PTO/SB/97 (09-04)

Approved for use through 07/31/2008, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**Certificate of Transmission under 37 CFR 1.8**

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on 08/31/2005  
Date

Signature

PALAIYUR S. KALYANARAMAN

Typed or printed name of person signing Certificate

34,634

Registration Number, if applicable

908-298-5068

Telephone Number

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Fax Cover Sheet - 1pg.

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Issue Fee Transmittal (Part B) - 1pg. in duplicate

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Printer Friendly

09/908,955

NOVEL PEPTIDES AS NS3-SERINE PROTEASE INHIBITORS OF HEPATITIS C VIRUS

## Transaction History

Date	Contents Description
02-22-2006	Issue Notification Mailed
01-10-2006	Receipt into Pubs
01-09-2006	Dispatch to FDC
01-09-2006	Application Is Considered Ready for Issue
08-10-2005	Issue Fee Payment Verified
12-20-2005	Receipt into Pubs
08-31-2005	Issue Fee Payment Received
08-10-2005	Mail Notice of Allowance
08-08-2005	Notice of Allowance Data Verification Completed
05-23-2005	Information Disclosure Statement (IDS) Filed
08-08-2005	Date Forwarded to Examiner
05-23-2005	Request for Continued Examination (RCE)
08-08-2005	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)
06-03-2005	Workflow - File Sent to Contractor
05-23-2005	Workflow - Request for RCE - Begin
03-23-2005	Mail Notice of Allowance
03-23-2005	Mail Examiner's Amendment
03-22-2005	Notice of Allowance Data Verification Completed
03-22-2005	Examiner's Amendment Communication
01-11-2005	Date Forwarded to Examiner
01-03-2005	Supplemental Response
01-11-2005	Date Forwarded to Examiner
12-20-2004	Response after Non-Final Action
12-20-2004	Request for Extension of Time - Granted
01-03-2005	Workflow incoming amendment IFW
12-20-2004	Workflow incoming amendment IFW
09-02-2004	Petition Decision - Granted
08-31-2004	Correspondence Address Change
12-11-2003	Petition Entered
06-16-2004	Mail Non-Final Rejection
06-14-2004	Non-Final Rejection
05-06-2004	Date Forwarded to Examiner
04-30-2004	Supplemental Response
04-30-2004	Workflow incoming amendment IFW
04-05-2004	Date Forwarded to Examiner
03-24-2004	Response after Non-Final Action
03-24-2004	Request for Extension of Time - Granted
12-11-2003	Preliminary Amendment
12-11-2003	Preliminary Amendment
12-11-2003	Reference capture on IDS
11-14-2003	Information Disclosure Statement (IDS) Filed
09-30-2003	Mail Non-Final Rejection

09-30-2003	Non-Final Rejection
06-02-2003	Case Docketed to Examiner in GAU
01-03-2002	Information Disclosure Statement (IDS) Filed
09-27-2001	Preliminary Amendment
08-25-2001	Case Docketed to Examiner in GAU
08-17-2001	Application Dispatched from OIPE
08-16-2001	Correspondence Address Change
08-06-2001	IFW Scan & PACR Auto Security Review
07-19-2001	Initial Exam Team nn

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